

1 September 12, 1997

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3 **REP Program Strategic Review Steering Committee**  
4 **Concept paper: Partnership In The Rep Program**  
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6  
7 **ISSUE**  
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9 Should the role traditionally assumed by FEMA in its interaction with the States, in the REP  
10 program be modified such that a greater FEMA/State partnership is achieved?  
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12 **BACKGROUND**  
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14 Over the sixteen years of the REP program, FEMA's role has traditionally been that of  
15 evaluator of the State and local ability to implement emergency response plans. With the  
16 evolution of Performance Partnership Agreements and FEMA's strategic review of its REP  
17 program, a desire has arisen to reevaluate this traditional relationship and determine if a  
18 relationship defined more in terms of a State, Tribal Nations and local government  
19 partnership is appropriate.  
20

21 **ANALYSIS**  
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23 Those advocating this approach propose that all partners have the same goal of protecting  
24 health and safety of the public. Further, the rationale continues, State, Tribal Nations and  
25 local government have the primary responsibility for protective action decisions and  
26 implementation, and, in combination with local responders, first-line response. As such,  
27 their role is integral to effective emergency preparedness and response and on this basis they  
28 should be considered partners with FEMA in accomplishing this end.  
29

30 There are several concepts that can be considered related to achieving an enhanced  
31 partnership. In general, a greater partnership may be described as one that is less  
32 paternalistic, one in which each partner recognizes each other's strengths (and weaknesses),  
33 one in which FEMA exerts less oversight, one in which there is a greater emphasis on results  
34 rather than the process used to get there, and one in which open communication is practiced.  
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36 There are numerous initiatives, which might be undertaken in the name of developing a  
37 greater level of partnership in the REP program. For ease of evaluation at this point, they are  
38 grouped into primary topics.  
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40 (A) Performance  
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42 A number of comments centered on giving more latitude to the States, Tribal Nations and  
43 local governments and reducing Federal oversight in the performance of REP programs. The  
44 guiding principle for the Federal government as part of the National Performance Review is

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<sup>1</sup> \* The roles and responsibilities assumed by Tribal Nations in the REP Program may vary from site to site.

to develop performance partnerships with State and local governments to promote both increased flexibility and accountability. The key feature of the partnership is the encouragement of multiple approaches to meeting jointly designed objectives.

Within the context of the REP program, certain specific performance themes related to increasing partnership are developed below.

1. Increase flexibility/latitude for partners in how to carry out REP requirements.

The maturity of the REP program has allowed an excellent definition of the basic areas of capability (i.e. public education and information, emergency facilities and equipment, emergency classification, etc.) necessary to protect the public from a serious nuclear power plant accident. NEMA and others make the case that the States have an established record of performance in REP which verifies their capabilities to control the execution of their own programs. Increased flexibility would also allow differences to be recognized in program implementation.

This combination of matured program definition along with increased experience levels lends itself to the next level of delegating more responsibility. For further discussion, refer to the Delegated State Program Issue Paper. Alternately, a revised REP 14/15 could recognize a greater flexibility/latitude, as could training evaluators to focus on outcomes rather than process.

2. FEMA, States, Tribal Nations and locals, in addition to utilities, would work together to determine the appropriate Goals and Objectives to support the ultimate Mission of protection of the public.

Overarching REP Goals could be jointly established (Federal, State, Tribal Nation, local, utility) to drive the activities at all levels. Then, objectives with specific, measurable results would be agreed to by all parties on a uniform, national basis. These objectives provide a checkpoint to assess whether the program is achieving the consensus goals and define the actual impact on the public being served, rather than measuring the level of effort expended by the particular organization.

3. Methods of accomplishing goals left to the discretion of States, Tribal Nations and local governments.

After developing goals and objectives as discussed in item 2. above, States, Tribal Nations and local governments would then work with FEMA to develop measurable outcomes to assess achievement of these goals and objectives. These are quantitative indicators uniquely developed to each jurisdiction and many are already in place. States, Tribal Nations and local governments would be given flexibility in how they carry out guidance within the context of meeting goals and objectives.

- 1 4. Incorporate REP goals into the Performance Partnership Agreements (The PPAs are  
2 5-year strategic plans which the States broker with FEMA. The PPAs are  
3 implemented by States and their goal is to provide greater state flexibility in  
4 achieving goals, while at the same time improving accountability. The focus is on  
5 results rather than the process.)  
6

7 The use of the PPA process allows States to be treated as emergency management  
8 partners. Inclusion of REP goals and performance measures in the PPA will  
9 encourage the integration of REP into the overall State emergency preparedness  
10 mission. Since most States are required by their own legislatures to have a strategic  
11 plan, this will permit the States to present all aspects of their emergency management  
12 mission in one strategic document, irrespective of funding source. Note though that  
13 actual use of a PPA document would be optional because if what is outlined in items  
14 2. and 3. above has been accomplished, the underlying basis of a PPA has been done  
15 also.  
16

17 Advantages to this type of performance approach include increased flexibility in carrying out  
18 REP programs, including the ability to ensure that plans and exercises apply to real events  
19 rather than simply to achieve a goal of passing an exercise. A potential disadvantage of this  
20 approach is that the development of REP goals and performance measures (and their  
21 assessment per performance indicators) are time consuming.  
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#### 23 (B) Evaluation – 24

25 Note: This section, which was previously included in the July 3, 1997 version of the  
26 Partnership Concept Paper, has been consolidated in the Exercise Streamlining Concept  
27 Paper.  
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#### 29 (C) Policy 30

31 Partnership in the policy area effectively means greater stakeholder involvement in its  
32 development. This policy involvement thus can be divided into two distinct areas: the  
33 strategic review process itself and guidance and policy developed as part of the ongoing  
34 program. The former will be considered in detail as part of the evolving strategic review  
35 process. The latter will be the focus of the discussion here.  
36

37 A greater partnership in the policy area could be accomplished through a variety of means  
38 including discussion of policy issues during workshops, conferences, or specially gathered  
39 meetings. The success of the Standardized Exercise Report format development could serve  
40 as a model for future endeavors (a first draft was provided for comment with the resulting  
41 second draft discussed at a meeting of State, utility, FEMA and NRC regional  
42 representatives). Whatever stakeholder involvement is put in place for the Strategic Review  
43 process would provide valuable lessons learned for what might be viable on a more  
44 permanent basis. Naturally, consideration of FACA would continue. In any case, for

partnership to evolve in the policy area, the concept must be given more than "lip service"; stakeholders must be made to feel that their views are given full consideration. At the same time, FEMA must remain objective concerning the goals of the program and ensure that stakeholder self-interest does not become the driving force in future policy development.

The pros of continuing stakeholder involvement in the REP program policy area include: (1) greater ownership of policy changes and thus improved acceptance of such changes, (2) improved expediency of FEMA becoming aware of implementation issues and proposed alternatives, (3) a resulting greater consistency among FEMA regions of the developed policy, and (4) increased FEMA access to a broader base of technical expertise and experience. In contrast, cons include the need for greater in depth analysis of stakeholder positions (perhaps using individuals with the appropriate technical expertise) to ensure appropriate policy is accepted.

#### (D) Technical Assistance

Numerous comments were received about FEMA increasing the technical assistance it provides to shifting its emphasis from prescriptive evaluation to technical assistance to States, Tribal Nations and local governments. For the purposes of this discussion, "technical assistance" herein refers to both planning and programmatic assistance and specific assistance on radiological issues.

The benefits of increasing such technical assistance include furthering the partnership relationship because the assistance would be offered in a non-evaluative forum. FEMA's role would move away from being primarily an evaluator toward being a greater facilitator and educator. FEMA would in an expanded way assist and support the States, Tribal Nations and local governments. The idea of increased technical assistance is closely tied to the idea of improved customer service.

From a resource standpoint, FEMA may have to shift resources from other areas (evaluation perhaps) in order to provide a greater level of technical assistance.

Means of increasing FEMA's technical assistance could include:

1. FEMA could sponsor technical assistance conferences throughout the year. Such a conference could allow FEMA the opportunity to share its observations gathered from years of REP exercises. This type of conference with a national reach could be supplemented by regional or local seminars.
2. FEMA could prepare an internet web site for technical assistance.
3. More emphasis could be placed on the process used in correcting issues raised during drills and exercises and less on simply grading. Redemonstration during drills would

1 provide a better learning environment and present an increased collaborative  
2 relationship between FEMA and the State, Tribal Nation and local organizations.

- 3
- 4 4. FEMA's courtesy evaluations during rehearsals could be continued or perhaps  
5 expanded. They are especially helpful in training and preparedness because they  
6 allow evaluators to share their extensive experience. At the same time, the courtesy  
7 evaluations are not threatening absent the evaluation and are thus conducive to  
8 learning and exchanging information.  
9
- 10 5. FEMA could encourage more conference calls as a means to address issues rather  
11 than relying on written communications. This more open form of communication  
12 will increase partnership and the efficiency of the REP program through more  
13 expedient resolution of issues and answers to questions.  
14
- 15 6. FEMA could take a more active role in implementation of the Emergency Alert  
16 System (EAS).  
17
- 18 7. FEMA could assist in obtaining data on special needs populations (privacy issue).  
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- 20 8. FEMA could provide a greater level of assistance to States, Tribal Nations and local  
21 governments in improving their emergency preparedness plans.  
22
- 23 9. FEMA liaisons could spend more time in the field to become more familiar with  
24 particular sites and in the process achieve better relationships with various levels of  
25 government. Such increased number of site visits would serve to provide ongoing  
26 technical assistance. Funding would be a consideration.  
27
- 28 10. FEMA could provide greater evaluation and insights into how the continuing fast  
29 pace of technological changes impacts the REP program.  
30
- 31 11. FEMA could participate in State, Tribal Nation and local training programs.  
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- 33 12. FEMA could provide technical assistance to States, Tribal Nations and local  
34 governments in implementing corrective actions resulting from exercises.  
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- 36 13. FEMA could work with other Federal agencies to identify key radiological  
37 monitoring and assessment capabilities, determine where additional effort is needed,  
38 and work to accomplish those activities, needs and then satisfy those needs.  
39

40 It is interesting to note that the types of technical assistance suggested are largely in the  
41 programmatic or planning areas. Assistance of a clear technical nature is absent. In fact,  
42 comments received suggested either that FEMA refrain from providing technical radiological  
43 information or expand its own expertise in health physics and radiation sciences. FEMA can  
44 improve its technical guidance by (a) ensuring that cognizant RAC members are utilized for

1 this purpose, (b) issuing guidance as joint FEMA/NRC/EPA guidance, and (c) including  
2 stakeholders in its development. Should FEMA radiological expertise be cultivated, FEMA  
3 could provide names of contacts that could be called with questions on guidance. Even if  
4 FEMA obtains in-house technical expertise, serious consideration should be given to the  
5 appropriateness of FEMA developing technical standards in areas, which impinge on other  
6 agencies' statutory responsibilities. FRPCC-developed materials may be incorrectly  
7 interpreted to be solely FEMA documents because FEMA prints and distributes them so  
8 there may be merit in obtaining FRPCC letterhead and issuing documents under the auspices  
9 of the FRPCC, when appropriate.

10  
11 The major pros of increased technical assistance would be providing States, Tribal Nations  
12 and local governments more of the type of assistance they need from FEMA in order to  
13 improve their radiological emergency preparedness programs. The primary con of this shift  
14 in emphasis is the FEMA resource issue. It becomes less onerous if resource savings can be  
15 found in the evaluation area or elsewhere. The other resource component of course is the  
16 level of radiological expertise residing at FEMA.

#### 17 18 (E) Federal Exercise Participation

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20 Increased Federal participation in REP exercises would give partners the needed experience  
21 of operating with the various Federal agencies and knowing what resources are available in  
22 radiological emergencies. Criticism includes that the Federal government has a significant  
23 role in response but does not subject itself to the same expectations which it places on States,  
24 Tribal Nations and local governments. By participating in REP exercises (specifically  
25 greater participation in ingestion and relocation, reentry, and recovery exercises), the Federal  
26 agencies allow themselves to be critiqued (refer to Section (B), item 1.) and learn from the  
27 process as do the States, Tribal Nations and local governments. Partnership would be  
28 furthered by such increased Federal involvement. Lack of participation in exercises past the  
29 plume phase leaves players wondering whether the Federal agencies are indeed prepared to  
30 deliver assistance and whether plans to accomplish and coordinate assistance are in place.  
31 The benefit to the Federal government of fuller participation is to uncover those  
32 shortcomings in our own preparedness schemes (in particular with our interrelationships with  
33 each other) which could prove disastrous and/or embarrassing in a real event. Federal  
34 participation would also allow testing of the FRERP organization and the exercising of  
35 interagency cooperation.

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37 A further benefit of Federal participation is the increased realism in the scenario. Negative  
38 training is a likely result when appropriate Federal participation is lacking and thus one could  
39 argue that there is little value to post-plume phase exercises which lack appropriate Federal  
40 participation. FEMA could take a lead role in assisting the States, Tribal Nations and local  
41 governments to use FRMAC most effectively.

1 Naturally, the biggest drawback to increased Federal participation is resources. The  
2 appropriate management level of each affected agency (FEMA, DOE, NRC, EPA, USDA,  
3 HHS) would have to agree to make this a priority by providing the required staff. In  
4 addition, any internal agency procedures not developed would require resources to complete.  
5 Resources would also be required for interagency coordination to achieve exercise  
6 participation and for addressing outstanding issues associated with exercising the Federal  
7 role.

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9 The above elements do not represent an all-or-nothing proposition. All or some of the  
10 conceptual items can be implemented depending on how partnership is to be defined in REP  
11 and the degree of partnership desired.

#### 12 Areas of Overlap with other concepts being explored

- 15 1. The Performance element of this paper is closely related to the PPA concept and the  
16 results vs. outcome paper.
- 17 2. The Policy element is tied to the stakeholder involvement in the SRSC process itself  
18 and indeed that is one component of the Policy element. What is determined  
19 applicable for this process can certainly serve as a pilot program of sorts for future  
20 involvement of stakeholders in policy development endeavors.
- 21 3. The Technical Assistance element is tied to the resource question, and specifically the  
22 radiological assistance component relates to the use of contractors and whether  
23 FEMA should obtain in-house health physics and radiological expertise.
- 24 4. The Federal Exercise Participation element is related to questions concerning Federal  
25 coordination both in obtaining agreement to increase Federal participation and in  
26 actually implementing this policy in exercises. Federal resource constraints will  
27 presumably be a major factor.
- 28 5. In addition, partnership type elements may be used as incentives for participation in a  
29 Delegated State program. For example, Delegated States may be given a priority for  
30 technical assistance and/or participation in policy development.

#### 31 **RECOMMENDATIONS**

32 To be determined.  
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